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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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GAETAN PELLETIER,

Plaintiff,

v.

WILLIAM V. RODRIGUEZ; JUDY A.
RODRIGUEZ; WILLIAM V. RODRIGUEZ,
TRUSTEE; WILLIAM V. RODRIGUEZ
REOVABLE LIVING TRUST (a Nevada
Trust dated November 7, 1991); JAMES W.
MIDDAGH; MORTENSEN PARTNERS,
LIMITED PARTNERSHIP; ROBERTS J.
WINES; AND JOHN DOE(S) PARTNERS
IN MORTENSEN PARTNERSHIP; JOHN
DOE(S) BENEFICIARIES OF THE
RODRIGUEZ REVOCABLE TRUST
BENEFICIARIES IN JANUARY 2015 AND
NOW,

Defendants.

Case No. 3:17-cv-00642-MMD-VPC


ORDER

Before the Court is Defendants’ Motion to Reconsider (ECF No. 53) the Court’s prior order (ECF No. 50) granting demands for security of costs as to certain Defendants: William V. Rodriguez, individually, James W. Middaugh, Mortensen Partners, and Robert J. Wines. Defendants contend that the Court erred in failing to grant demands for security of costs as to Defendants Judy A. Rodriguez, individually; William V. Rodriguez and Judy A. Rodriguez as Trustees of the William V. Rodriguez Revocable Living Trust; and the William V. Rodriguez Revocable Living Trust (“Additional Rodriguez Defendants”). (ECF No. 53 at 5.)

1 The Court granted the demand as to Defendant William V. Rodriguez (individually)
2 based on his joinder (ECF No. 31) to Defendant Wines' Amended Motion for Demand of
3 Security of Costs (ECF No. 25). The joinder lists only Defendant William V. Rodriguez as
4 the movant. (See ECF No. 31 at 1 ("Defendant William V. Rodriguez's Joinder"); *id.* at 2
5 ("COMES NOW, Defendant WILLIAM V. RODRIGUEZ ('Rodriguez'), by and through his
6 counsel of record . . . hereby submits his Joinder . . ."); see *also* ECF No. 50 at 2 n.1
7 ("The Court construes the joinder as limited to Defendant William V. Rodriguez even
8 though the docket entry lists additional defendants because Defendant William V.
9 Rodriguez is the only defendant identified in the actual filing.")) As such, a demand for
10 security of costs by the Additional Rodriguez Defendants was not properly before the
11 Court. Nevertheless, the Court construes Defendants' Motion to Reconsider as errata to
12 their joinder and grants the Motion to Reconsider.

13 It is therefore ordered that Plaintiff either post a bond for security costs or deposit
14 lawful money for security costs in the amount of \$500 for the Additional Rodriguez
15 Defendants, totaling \$2,000, to the Clerk's Office within thirty (30) days. This case will be
16 stayed pending Plaintiff's compliance with this security requirement.

17 DATED THIS 22nd day of January 2018.

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21 MIRANDA M. DU
22 UNITED STATES DISTRICT JUDGE
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